

## Office of Professional Accountability (OPA) Commendations & Complaints Report November 2004

### Commendations:

Commendation Received in November: 92

Commendations Received to Date: 661

| Rank  | Summary  |
|---|--|
| (1) Officer                                     | An officer picked up a silent alarm signal on a stolen vehicle. The officer tracked the signal to the location of the abandoned vehicle. The owners were very appreciative to have their vehicle returned.   |
| (2) Sergeants<br>(11) Officers                  | All officers and sergeants demonstrated flawless precision in establishing inner and outer perimeter containment and vehicular and pedestrian traffic control, when a suspect armed with a weapon destroyed property inside an apartment complex.                                      |
| (2) Officers                                    | Officers responded to a report that individuals kicked out windows of a disabled Metro bus. The responding officers did a thorough and professional job.   |
| (1) Officer                                     | Robbery victims appreciated an officer's dedication to his job and the return of some stolen items. The officer made recommendations to the victims on ways to be creative and safe in securing their residence.   |
| (1) Officer                                     | A local community fair was a huge success. As a result of the assistance and support of the Department, the community benefited from the money raised.   |
| (1) Captain                                     | An off-duty captain saved the life of a citizen when he performed the Heimlich maneuver. The citizen was extremely grateful for the captain's first-aid experience.  |
| (2) Officers                                    | Officers responded to a suspicious circumstances call at a vacant house while the homeowners were on vacation. A family member responded to the call as well and stated the officers were very professional and competent in how they handled the situation.                           |
| (2) Officers                                    | Two officers were assigned to assist a citizen in an unsafe relocation situation. The officers were professional and courteous in handling the call and the citizen appreciated the results of their efforts.  |
| (1) Officer                                     | A reported stolen vehicle was equipped with a silent alarm system and was located within thirty-five minutes of activation. The vehicle was recovered with no damage.  |
| (1) Lieutenant<br>(2) Sergeants<br>(6) Officers | A dignitary from another country expressed his gratitude for the outstanding security, support, and assistance provided by the Department during a visit to the Seattle area. The officers' expertise, enthusiasm and hard work clearly reflect the professionalism of the Department. |
| (2) Officers                                    | A banking center had a problem with their night deposit drop box. Two officers demonstrated their professionalism and resolved the situation.  |
| (2) Detectives                                  | Two detectives were recognized and appreciated for their time and skills in a pending domestic violence case.  |
| (1) Lieutenant<br>(1) Sergeant<br>(8) Officers  | Harbor personnel performed an exceptional job in an initial emergency response and in their preparation for the evidence search/collection and vehicle recovery dive operations.   |

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| (1) Officer                                       | An officer went the extra mile to provide support and calmness in a volatile situation where children were involved. The officer demonstrated extra effort and discretion in performing a difficult job.  |
| (1) Detective                                     | Victims of a robbery appreciated the persistence and dedication of a detective who recovered their stolen property.   |
| (1) Officer                                       | While on routine patrol, an officer spotted a suspicious vehicle, which led to the arrest of a robbery suspect. The alert officer captured the suspect about an hour after the robbery.   |
| (1) Detective                                     | A very thankful victim appreciates the difficult, time-consuming and intense investigation a detective performed regarding the theft of his vehicle. The detective went above and beyond normal duties in the location and return of stolen property, and was commended for his actions.  |
| (2) Lieutenant<br>(3) Sergeants<br>(6) Detectives | A visiting dignitary extended his sincere appreciation and gratitude to officers for their outstanding support and assistance provided during a recent visit to the Seattle area.   |
| (1) Officer                                       | An officer responded to a 911 call where an intruder entered a disabled citizen's residence. The officer was highly professional and compassionate while taking the police report. The officer's efforts during the investigation led to the identification and arrest of a suspect.  |
| (1) Detective                                     | A detective assisted in the recovery of stolen items of a citizen new to the area. The detective's regular communication and assistance has made a most difficult experience a bit easier.  |
| (2) Officers                                      | Two bicycle officers demonstrated exemplary service when they stopped and determined the status of a citizen's vehicle. The officers took charge of the situation when they contacted a tow company and remained with the distressed individual until they were calm. Their visible presence reassured the vehicle owner.   |
| (3) Officers                                      | Three officers provided excellent teamwork and cooperation in making an arrest for a crime that otherwise would have remained unsolved. It was their close coordination that allowed the suspect to be located, apprehended and identified.   |
| Many Officers                                     | Thanks for all the help and support provided by many officers at a local street fair. The officers' cooperation and hard work made the fair a successful and safe event.  |
| (1) Officer                                       | A safety officer received kudos for the successful completion of a delicate and sensitive project. The officer took care of compliance with all applicable rules and regulations, and ensured that all safety documents were sent to the proper regulatory agencies. He was constantly available around the clock to facilitate the successful completion of the project. |
| (1) Officer                                       | An appreciation note was received from a citizen who was thankful for the discovery of a lost vehicle.  |
| (1) Officer                                       | An officer's constant presence and diligence in preserving a safe neighborhood for the citizens has not gone unnoticed.   |
| (2) Officers                                      | Two officers were praised for their assistance and recovery of a family pet. The officers displayed professional behavior in the situation.   |
| (1) Officer                                       | An officer responded to an unusual and sensitive situation at a private club. The officer was exceptionally professional and resolved a real challenge with a guest.  |
| (1) Detective                                     | A detective's professionalism and dedicated hard work in a year-long investigation of unethical behavior by a medical professional was commended. The detective contributed significantly to the arrest and conviction of the suspect.  |

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| (1) Officer                                   | A citizen involved in a vehicle accident appreciated the kindness and assistance of an officer. The officer waited with the citizen until an ambulance removed her from the accident scene, and the officer's presence was reassuring.   |
| (1) Officer                                   | An officer was very polite, courteous and empathetic in gathering information and processing a stolen-purse report. The officer provided valuable information and was very patient, even though his work shift had ended.  |
| (1) Lieutenant<br>(1) Sergeant<br>(1) Officer | A charitable organization appreciates the time and commitment officers provide to communities. The men and women officers involved do a superb job in keeping everyone safe, as well as being part of a community.   |
| (1) Sergeant<br>(1) Detective                 | The exemplary work and dedicated service of two officers has not gone unnoticed. Their hard work and professionalism in handling a sensitive situation was indeed a credit to the Department.  |
| (2) Detectives                                | Two detectives solved a homicide case from 1968 through their diligent hard work and investigation. Solving this case was nothing short of miraculous, and the victim's family was very thankful to receive closure.   |
| (1) Detective                                 | A search has been on for several months for a missing individual. Many of the individual's friends have had frequent involvement with a detective, by phone and in person, and have found him to be incredibly helpful, supportive, effective and diplomatic.  |
| (1) Officer                                   | An officer responded and assisted everyone involved in an unfortunate traffic accident. He was highly professional and helped ease the pain, worry and stress a great deal.  |
| (1) Sergeant                                  | An incident involving a missing infant led to a thorough investigation, including phone calls to hospitals, medical professionals, and police. The sergeant's investigation and supervision of the incident was appreciated.   |
| (1) Sergeant<br>(3) Officers                  | The Harbor Patrol was commended for their immediate response to a fire engulfing two boats in a covered moorage. The fast and proficient response by Harbor Patrol was undoubtedly the key that kept the blaze from becoming an inferno, which would have quickly spread to other boats in the marina. Their hard work and diligence should be praised and recognized as an asset to the City. |

## November 2004 Closed Cases:

*Cases involving alleged misconduct of officers and employees in the course of their official public duties are summarized below. Identifying information has been removed.*

*Cases are reported by allegation type. One case may be reported under more than one category.*

### UNNECESSARY FORCE

| Synopsis   | Action Taken   |
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| It was alleged that the named officers used excessive force during the subject's arrest.   | During a traffic stop, the subject tried to flee in his vehicle and put the on-scene officers at great risk. When the subject's car crashed into a nearby wall, the officers removed the subject from his car, but he continued to fight and resist arrest. Three officers used force to control the subject and effect his arrest. The force used was documented, reported, and screened. The subject had only minor injuries. The force used was reasonable and appropriate. Finding – EXONERATED.   |
| It was alleged that the named employee used unnecessary force while attempting to stop and detain the subject as a possible subject in a narcotics-related crime. It was further alleged that the subject was improperly interrogated at the precinct. | The named employee was working with a joint narcotics task force. An employee with a different agency was the primary officer who initiated the stop and arrest. The SPD employee used only minimal control with the subject. Finding as to Unnecessary Force – EXONERATED. The evidence showed that the named employee detained and questioned the subject without writing a report. Finding as to Failure to Take Appropriate Action – SUPERVISORY INTERVENTION.   |
| It was alleged that the named officers shoved the complainant against a vehicle and kicked his ankle during a pat down.  | The complainant was contacted in response to a report by a business owner that the complainant was trespassing and causing a disturbance. Upon contact, the complainant was highly agitated and verbally abusive. The officer testified that he patted down and handcuffed the complainant. His hands were placed on the vehicle and the officer did use his foot to push the complainant's feet apart. A civilian witness concurred that the officers did not use excessive force. The complainant did not report any concerns about force to the sergeant who responded. Finding – EXONERATED. |

### MISUSE OF AUTHORITY

| Synopsis   | Action Taken   |
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| It was alleged that the named employee used department equipment to run the complainant's vehicle license plate for personal reasons. It was also alleged that the named employee caused fear and alarm by following the subject while off duty. | A thorough investigation was conducted. The named employee offered an explanation for running the complainant's license plate number. There is not a preponderance of evidence to establish whether the employee's actions were a result of coincidental contact. Finding as to Misuse of Authority – NOT SUSTAINED. Finding as to Conduct Unbecoming – NOT SUSTAINED. |
| It was alleged that the named employee responded to an assault call, then participated in a mutually agreed upon relationship with the assault victim.   | The named employee responded to a restaurant in response to 911 calls about an assault by a male on a female. There was no clear evidence regarding whether or not the victim told the employee she had been assaulted. The named employee did not take a report. The named employee went off duty and engaged in a consensual encounter with the                      |

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|  | individual. Finding as to Misuse of Authority and Conduct Unbecoming an Officer – SUSTAINED. |
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**VIOLATION OF RULES AND REGULATIONS**

| <b>Synopsis</b>  | <b>Action Taken</b>   |
|--|---|
| It was alleged that the named employees used their positions to purchase a handgun from a citizen at a reduced rate. It was further alleged that one of the employees used the Department's computer system to check to see if the gun was stolen. | The investigation showed that a citizen came into a precinct and wanted the police to dispose of a handgun. One of the named employees, working at the desk, purchased the handgun for an agreed upon sum. That named employee sold it to another named employee, who used the Department computer to check the gun. This employee later sold the gun. Finding as to Conduct Unbecoming – SUSTAINED. Finding as to Misuse of Department Resources – SUSTAINED. In addition, SPD policy has been changed to clearly prohibit the purchase of weapons from citizens by employees. |

**Definitions of Findings:**

**“Sustained”** means the allegation of misconduct is supported by a preponderance of the evidence.

**“Not sustained”** means the allegation of misconduct was neither proved nor disproved by a preponderance of the evidence.

**“Unfounded”** means a preponderance of evidence indicates the alleged act did not occur as reported or classified, or is false.

**“Exonerated”** means a preponderance of evidence indicates the conduct alleged did occur, but that the conduct was justified, lawful and proper.

**Referred for Supervisory Resolution.**

**Training or Policy Recommendation** means that there has been no willful violation but that there may be deficient policies or inadequate training that need to be addressed.

**“Administratively Unfounded/Exonerated”** is a discretionary finding which may be made prior to the completion that the complaint was determined to be significantly flawed procedurally or legally; or without merit, i.e., complaint is false or subject recants allegations, preliminary investigation reveals mistaken/wrongful employee identification, etc, or the employee's actions were found to be justified, lawful and proper and according to training.

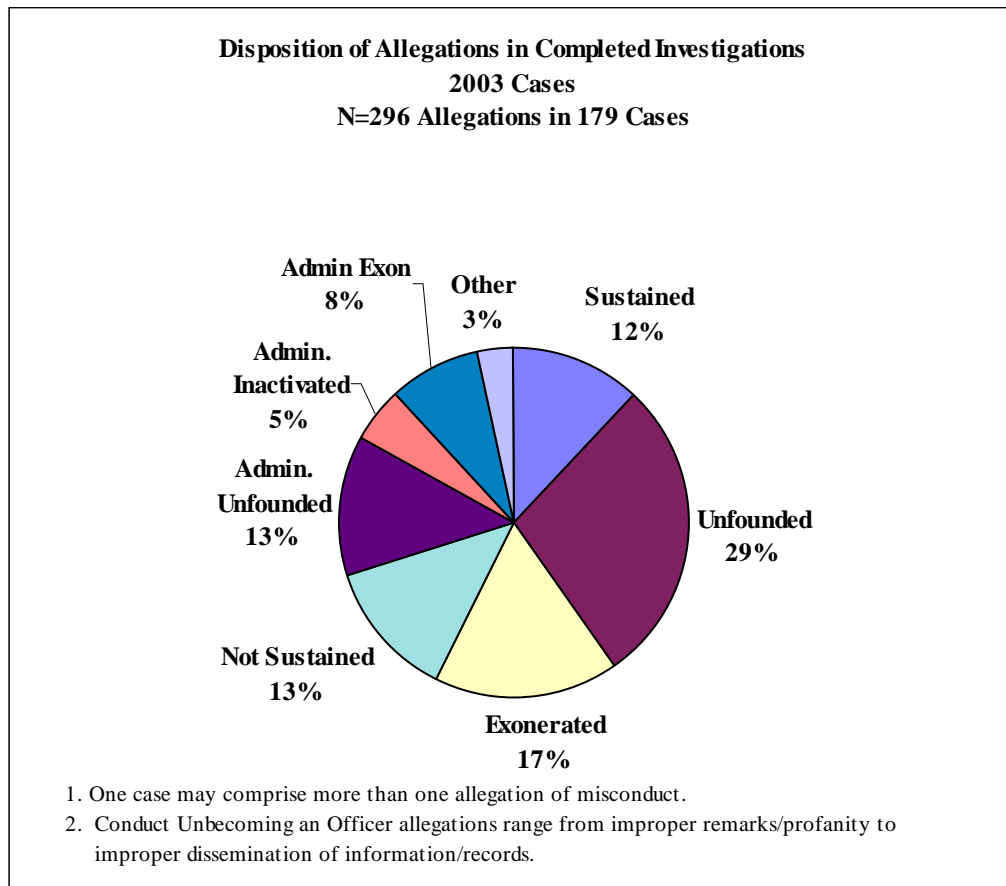
**“Administratively Inactivated”** means that the investigation cannot proceed forward, usually due to insufficient information or the pendency of other investigations. The investigation may be reactivated upon the discovery of new, substantive information or evidence. Inactivated cases will be included in statistics but may not be summarized in this report if publication may jeopardize a subsequent investigation.

## Status of OPA Contacts to Date:

### 2003 Contacts

|  | December 2003 | Jan-Dec 2003 |
|--|---------------|--------------|
| Preliminary Investigation Reports        | 7             | 415          |
| Cases Assigned for Supervisory Review    | 2             | 79           |
| Cases Assigned for Investigation (IS;LI) | 10            | 185          |
| Cases Closed                             | 1             | 179          |
| Commendations                            | 70            | 861          |

\*includes 2003 cases closed in 2004



### 2004 Contacts

|  | November 2004 | Jan-Dec 2004 |
|--|---------------|--------------|
| Preliminary Investigation Reports        | 12            | 234          |
| Cases Assigned for Supervisory Review    | 2             | 48           |
| Cases Assigned for Investigation (IS;LI) | 16            | 179          |
| Commendations                            | 92            | 661          |